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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/684,583 | 10/15/2003 | Gregory M. Glenn | 29483.0001 | 2329 |

7590 06/29/2005
BAKER & HOSTETLER LLP
Washington Square
Suite 1100
1050 Connecticut Avenue, N.W.
WASHINGTON, DC 20036

EXAMINER

POPE, DARYL C

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
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2632

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/684,583

Applicant(s)

GLENN ET AL.

Examiner

DARYL C. POPE

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-96 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-96 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/31/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 10 recites the limitation "microprocessor" in line 2. There is insufficient antecedent basis for this limitation in the claim.

ART REJECTION:

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-96 rejected under 35 U.S.C. 103(a) as being unpatentable over Joao(5,917,405).**

-- In considering **claim 1**, the claimed subject matter that is met by Joao includes:

1) the sensor for obtaining data is met by the office equipment systems(1615) which include a variety of types of sensors and data collection devices(see: column 68, lines 35 et seq; column 69 lines 1 et seq; column 70 lines 1 et seq;

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2) the control board for receiving a processing data from the devices is met by the CPU(4) which receives, process, and controls data and operations for all equipment in the system(see: column 71 lines 4-19).

With regards to the claimed board, although not specifically shown by Joao, use of a board for a CPU is well known, and therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a board into the CPU, since this would have facilitated placement of processing circuitry into the CPU.

-- With regards to **claims 2-9 and 19-36**, although not specifically taught by Joao, considering the multitude of sensors and data collection devices included in Joao as discussed above, it would have been obvious that the devices would have included a combination of digital and analog sensors, converters, protocol, serial data interfaces, data packets, compressed data, GPRS/GSM gateway, parallel or serial ports, telemetry radio, server decompressor, N-byte wide messages, header and sensor data, and as well identifiers since this would have been necessary in order for data to be communicated to the CPU and the server computer(510) in order for monitoring and control functions to be process by the CPU and users of the system.

-- With regards to **claims 10-12**, the temperature sensor linked to the microprocessor and for measuring environmental temperatures around the apparatus including microprocessor is met by the microprocessor device of the CPU(see: column 20, lines 62-64) and is connected to all devices in the system including thermostat system(1617, column 68, lines 12-34).

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-- With regards to **claims 13-14**, the voltage sensor is met by the central electrical system(1607) which is monitored and controlled by the CPU(see: column 67, lines 7-31). Furthermore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate solar/battery system into the electrical system of Joao, such that the voltage of a solar/battery system would have been measured by the electrical system, since this would have provided a well known and low cost means of providing electricity to the system of Joao.

-- **Claims 15 and 17** recite subject matter that is met as discussed in claim 1 above.

-- With regards to **claims 16 and 18**, since the system of Joao monitors a water system(1613), it would have been obvious that a monitored condition would have been liquid level and presence of a liquid(see: column 67 lines 61 et seq; column 68, lines 1-11).

-- **Claims 37-48** recite subject matter that was met as discussed in claim 1-36 above.

-- With regards to **claims 49-54**, the allowing data to be access remotely through a computer network such as the Internet, local network, or wide area network is met(see: column 29 lines 1-35).

-- **Claims 55-96** recite subject matter that is met as discussed in claims 1-54 above.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARYL C. POPE whose telephone number is (571) 272-2959. The examiner can normally be reached on M-TH 8:00-6:30.

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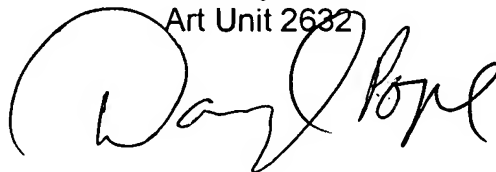
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DANIEL WU can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daryl C. Pope

June 26, 2005

DARYL C POPE
Primary Examiner
Art Unit 2632

A handwritten signature in black ink, appearing to read "Daryl C. Pope", is written over the printed name and title of the examiner.